

**APPROVED MINUTES**  
*(Approved – August 20, 2001)*

**MONTGOMERY COUNTY REDISTRICTING COMMISSION, 2001**  
**MONDAY, AUGUST 6, 2001 AT 7:00 PM**  
Olney Public Library  
Olney, Maryland

**COMMISSIONERS PRESENT**

Shirley Small-Rougeau, Chair  
Bill Sher  
Jason Tai  
Steve Berry  
Jayne Plank  
Harry Lerch  
David Davidson

**STAFF**

Ralph Wilson, Council Staff  
Carol Edwards, Council Staff  
Robin J. Ford, Council Staff  
Pamela Zorich, Planner, Park & Planning  
Ed Lattner, County Attorney's Office

**COMMISSIONERS ABSENT**

Andrew Morton  
William Roberts

**GUESTS**

Carole Brand, Women's Suburban Democrats  
Dale Tibbitts, Citizen PAC  
Charles Wolff, Citizen PAC  
Joy Nurmi, Praisner Office  
Peggy Erickson, Dacek Office  
Nathaniel Massaquoi II, Olney Resident  
Peter Esser, Partnership for a Unified Olney  
Dean Ahmad, Montgomery County Civic  
Federation  
Glenn Howard, Libertarian Party  
Nguyen Minh Chau, Councilmember  
Town of Garrett Park  
George Sauer, Republican Central Comm.

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**OPENING REMARKS**

Chair Rougeau called the meeting to order at 7:00 PM, and asked Commissioners, Staff and guests to introduce themselves to all those in attendance. Mrs. Rougeau suggested that because four new plans were being presented at this meeting, both Commissioners and the public could benefit from using the first half-hour of this meeting to view the wall-sized maps of each plan to get an idea of what would be discussed later in the meeting. She indicated that this review time would also allow Commissioner Morton time to arrive at the meeting, as he had already informed the Chair that he would be about a half-hour late. Commissioners Plank

and Lerch pointed out that it may be more beneficial to let the authors of each plan present the plan and the accompanying rationale instead of just considering the precinct maps. The Commission agreed that each author should briefly review their plan.

## PLAN B

Commissioner Plank discussed the goals of Plan B, which included enabling a majority of citizens to retain the same District representatives they elected in the last election, achieving more equal distribution of the 2000 population increases, assuring that municipalities, special taxing districts and communities remain in the same district, and following natural boundaries. She also stated that the maximum variation of the plan is 3.67%, and reviewed the twelve precinct shifts (from one Council District to another) as listed below:

<u>In Council District 5</u>	from District 4 to District 5	Precincts 13-44, 13-11
<u>In Council District 4</u>	from District 4 to District 5 from District 2 to District 4 from District 3 to District 4	Precincts 13-44, 13-11 Precincts 8-6, 8-8, 8-10 Precincts 4-19, 4-34
<u>In Council District 3</u>	from District 2 to District 3 from District 3 to District 1 from District 3 to District 4	Precincts 9-7, 9-28 Precinct 4-28, 4-15 Precinct 4-19, 4-34
<u>In Council District 2</u>	from District 2 to District 3 from District 2 to District 4	Precincts 9-7, 9-28 Precincts 8-6, 8-8, 8-10
<u>In Council District 1</u>	from District 3 to District 1	Precinct 4-28, 4-15

In addition, Mrs. Plank indicated that Plan B fulfills the request of both the Asbury Methodist and Germantown communities by moving precinct 9-28 into Council District 3 and by keeping the Germantown community all in one Council District. Commissioner Lerch pointed out that Plans B, D, and E fulfill the request of the Randolph Hills Civic Association to keep that community in one Council District.

Commissioner Berry inquired as to why District 2 precincts 8-6, 8-8 and 8-10 were moved to District 4 and District 3 precincts 4-19 and 4-34 were moved to District 4. He specifically expressed concern about moving the Olney precincts. Mrs. Plank responded that the precincts were moved to reduce size and population in District 2 and allow for future growth that is expected in District 2. These minimal changes balance the population to the maximum variation of 3.67 from the target ideal population for all the Districts as noted above. Mrs. Rougeau pointed out that communities and Commissioners may have differing views on which precincts make up Olney and Greater Olney. She indicated that it may be helpful for any audience members who can comment on the Olney boundaries to do so during the public comment portion of the meeting.

## **PRESENTATION OF NEW DRAFT PLANS**

### **PLAN D**

Commissioner Davidson presented Plan D, which he and Commissioner Sher drafted. Mr. Davidson discussed the goals of Plan D, which were to meet charter requirements, preserve the core of existing districts with minimal displacement, place precincts within a single district, ensure that municipalities and special taxing districts were in one Council district, honor the desires of communities to be placed in one Council District, avoid displacing incumbents, and minimize population variances. Plan D has a variance of 2.25%. Commissioners Davidson and Sher distributed a memorandum discussing Plan D.

Plan D makes the following precinct changes:

Moves 4-15, 4-23, and 4-28 from Council District 3 to 1.

Moves 6-3, 6-5, 9-22, and 9-23 from Council District 3 to 2.

Move 9-28 from Council District 2 to 3.

Move 8-3, 13-43, 13-46, 13-51, 13-52, and 13-60 from Council District 4 to 3.

Move 8-1, 8-2, 8-5, 8-6, 8-7, 8-9, 8-10, and 8-11 from 2 to 4.

Move 13-44 and 13-57 from Council District 4 to 5.

## **APPROVAL OF MINUTES**

The Commission interrupted the presentation of plans to approve the minutes of the previous two meetings. After agreeing to a minor change in the July 9<sup>th</sup> minutes pointed out by Commissioner Plank, the Commission voted unanimously to approve the June 4<sup>th</sup> and July 9<sup>th</sup> minutes as amended. Commissioner Davidson stated, for clarification, that after the September public hearing, Commissioners will be allowed to make changes to already submitted plans. Chair Rougeau agreed with that statement.

## **PRESENTATION OF NEW PLANS**

### **PLAN E**

Commissioner Berry indicated that he drafted two plans for Commission consideration. Mr. Berry explained that the goals of Plan E were very similar to the other plans with regards to meeting charter and legal requirements; respecting political subdivisions, communities of interest, and incumbents; and preserving the core of existing districts. However, in order to maintain the boundaries of established communities, Plan E does not attempt to have the smallest possible variance percentage. The variance for Plan E is 9.11%, which is legally under the 10% limit set by the charter, but is high. Commissioner

Berry distributed a memorandum discussing Plan E. In it, Mr. Berry indicated that working to achieve nearly equal district population would always divide an existing community.

Plan E removes population from Council District 2 by moving the communities of Olney, Brookeville, Sandy Spring, Ashton, Brinklow, and Sunshine into Council District 4. Plan E moves the following precincts:

From Council District 2 to 4: 8-1, 8-2, 8-5, 8-6, 8-7, 8-9, 8-10, 8-11

From Council District 3 to 2: 9-22 and 9-23

From Council Districts 3 to 1: 4-15, 4-23, and 4-28

From Council District 4 to 5: 13-11, 13-44, and 13-57

From Council District 2 to 3: 9-28

Peter Esser, representing Partnership for a Unified Olney, indicated that in many ways, the disparate communities that make up the Greater Olney are a cohesive community. He stated that the area has its own Gazette newspaper, its own Master Plan region and is in one planning area. He further indicated that the western boundaries of Olney are between Muncaster Mill and Bowie Mill Roads, the eastern boundary is Ashton, the southern boundary is Emory Lane, and the northern boundary is the Howard County line. He considers the following precincts within the Greater Olney community: 8-1, 8-2, 8-5, 8-6, 8-7, 8-9, 8-10, and 8-11. He further indicated that of all the plans presented, Plan D keeps most of the Olney community intact.

## PLAN F

Commissioner Berry indicated that his second plan, Plan F, is an attempt to keep the Olney community minimally impacted, while achieving a better population percent variation. Other than this difference, Plan F shares the goals of Plan E. Plan E divides the Greater Olney area by its more rural, western portion (which includes Sandy Spring, Ashton, and Brinklow) with the more urban communities of Olney and Brookville. Plan E puts Olney's more rural precincts in Council District 4 and leaves the eastern precincts in Council District 2. Mr. Berry distributed a memorandum that discussed Plan F. Plan F moves the following precincts:

From Council District 2 to 4: 8-6, 8-7, and 8-10.

From Council District 3 to 1: 4-15, 4-20, 4-23, 4-27, and 4-28.

From Council District 4 to 5: 13-44

From Council District 1 to 5: 4-8 and 4-26

From Council District 2 to 3: 9-28

Although currently Plan F places precinct 4-20 and 4-23 in Council District 1, it may be more appropriate to keep them in Council District 3.

Jeanne Snyder of Sandy Spring, expressed support for Plan F, stating that she has not had much interaction from her District 2 Council representative, possibly because of how large that district is. She indicated her belief that Mrs. Dacek may not be as responsive to the eastern half of District 2 because she lives on the western side. Marie D'Maria also expressed support for Plan F, stating that she was happy in District 2, but that it is clear that the district is too large. Commissioner Sher indicated that one of the goals of the redistricting process is to create compact Council districts that allow for better representation by elected officials. Removing population from District 2 helps to meet that goal. Ms. Chau, Councilmember from Garrett Park, asked why precincts 4-8 and 4-26 were moved from Council District 5 to 1, and Mr. Berry responded that in this plan, Council District 5 needs more population to meet the optimal percent variance.

## PLAN G

Chair Rougeau presented Plan G, and stated that, along with the other goals mentioned by Commissioners, one of her goals for Plan G is not to burden Councilmembers with extremely large Council Districts that are difficult to represent. She stated that some of the plans presented make Council District 4 too large, and Plan G is an effort to provide more balance in that area. Plan G separates the Greater Olney community generally along Georgia Avenue. The maximum % variation of Plan G is 1.59%, with Council Districts 2 and 3 slightly under the target population to account for future growth. Plan G moves the following precincts:

Precincts 4-23 and 4-28 from Council District 3 to 1.

Precinct 13-38 from Council District 5 to 1.

Precincts 8-[2]1, 8-4, 8-5, 8-8 and 8-9 from Council District 4 to 2.

Precinct 9-23 from Council District 3 to 2.

Precinct 13-60 from Council District 4 to 3.

Precinct 13-11 and 13-44 from Council District 4 to 5.

Mrs. Rougeau also stated that the Commission could attempt to make some changes in the western portion of the County, perhaps by splitting precinct 6-1 so as not to displace Councilmember Dacek, but that it was not necessary to do so. George Sauer, of the Montgomery County Republican Committee, stated that the Commission should be aware of the impact of the ongoing Legislative Redistricting process as they draft Council Redistricting

plans. However, Mrs. Rougeau stated that the Commission's [charter] mandate is to focus on Council redistricting, and encouraged Commissioners not to plan with the legislative impacts in mind. Mr. Wolff, of Citizen PAC, suggested that in Plan G, precincts 8-5, 8-4, 8-1, 8-9, and 8-8 be placed in Council District 2 and precincts 8-10, 8-6, 8-11 and 8-2 be put in Council District 4, because the populations are very similar.

#### **PUBLIC HEARING PREPARATION**

Ms. Ford asked if the Commission was ready to select the plans for the September 10<sup>th</sup> public hearing at this meeting, or will the tentative August 20<sup>th</sup> meeting take place. The Commission agreed that it was necessary to hold the August 20<sup>th</sup> meeting to make recommendations for plans for the Public Hearing. In response to a question by Commissioner Plank, Staff informed the Commission that there is no limit on the number of plans that can be presented at the Public Hearing.

It was clarified that Commissioners will be able to make changes to submitted draft Plans prior to the August 20<sup>th</sup> meeting and after the September 10<sup>th</sup> Public Hearing. Pamela Zorich, Park and Planning, stated that any changes to Plans should come to her no later than August 13<sup>th</sup> for processing for the August 20<sup>th</sup> meeting.

To keep with previous processes, the Commission unanimously passed a motion by Commissioner Sher (seconded by Commissioner Berry) that Plan D be accepted at the meeting. A motion was requested by the Chair for all draft Plans presented at the August 6 meeting for review and comment be accepted by the Commission. A motion was made and seconded to accept the draft Plans.

Dale Tibbitts, Citizen PAC, asked if electronic data on each of the plans submitted would be provided to the public who did not receive copies of the memos explaining the precinct changes and goals of each plan. Ms. Zorich explained that the Park and Planning Department sells planning area tiger files, but that the charts, maps and memos for each plan would be placed on the Commission website at least one week prior to the August 20<sup>th</sup> meeting. She also stated that she will send Mr. Tibbitts, via e-mail, an Excel spreadsheet with the population numbers and precinct changes for each plan.

#### **NEXT MEETING**

**The next Commission meeting will be on Monday, August 20<sup>th</sup>, at 7:00 PM at the COB 5<sup>th</sup> Floor front conference room.**

Because this is an unscheduled meeting, Commission Plank asked if proxy voting would be allowed. Mr. Lattner of the County Attorney's office, stated that he would have to research a firm answer, but would assume that even in the instance of an unscheduled meeting, proxy voting is still prohibited. Mr. Lattner suggested that the Commission give preliminary approval to allowing proxy voting at the August 20<sup>th</sup> meeting, so that if it is legal, there will be no additional barriers.

The Commission unanimously passed a motion by Commissioner Lerch (seconded by Commissioner Plank) that *if approved for legality by the County Attorney, the Redistricting Commission will accept proxy voting, when in writing, for the August 20, 2001 meeting only.*

#### **ADDITIONAL BUSINESS**

Commissioner Plank informed the group that the Municipal League has placed Council Redistricting on their September 20<sup>th</sup> meeting agenda. (The time and location for this meeting will be announced at a later date.)

Chair Rougeau also mentioned that the Bethesda-Chevy Chase Breakfast Club is meeting on September 10<sup>th</sup> at 7:30 AM, and has invited Redistricting Commission members to come to discuss the County's redistricting efforts. The meeting will be at the Original Pancake House on Rockville Pike.

Chair Rougeau announced that Ms. Ford is leaving the Council to pursue a Master's Degree at Rutgers University, and will not Staff the Commission after this meeting. The Commission thanked Ms. Ford for her service and wished her well.

Mrs. Rougeau also introduced Carol Edwards, Council Staff, to the Commission, who will replace Ms. Ford as Commission Staff. The Commission welcomed Mrs. Edwards. The following is Mrs. Edwards' contact information: Phone – 240.777.7929 and E-mail – carol.edwards@co.mo.md.us.

#### **ADJOURNMENT**

The meeting adjourned at 8:56 PM.